

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re	:	Chapter 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**AFFIDAVIT OF PUBLICATION OF ALICE WEBER IN THE NEW**  
**YORK TIMES**



## CERTIFICATION OF PUBLICATION

OCT 15 2009

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I, Alice Weber, in my capacity as a Principal Clerk of the Publisher of The New York Times a daily newspaper of general circulation printed and published in the City, County and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following date or dates, to wit on

OCT 15 2009

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Approved:

Maria Pannullo

THIS CERTIFICATION  
NOT VALID  
WITHOUT NYT RAISED SEAL

Line: Delphi Legal Information Website:  
http://www.delphidocket.com

PTCY COURT  
NEW YORK

Chapter 11  
Case No. 05-44481 (RDD)  
(Jointly Administered)

APPROVING MODIFICATIONS TO FIRST  
AN OF REORGANIZATION OF DELPHI  
AFFILIATES, DEBTORS AND DEBTORS-  
(B) OCCURRENCE OF EFFECTIVE DATE

The Plan. On January 25, 2008 (the  
United States Bankruptcy Court for the Southern  
District of New York) entered an order confirming  
the Reorganization of Delphi Corporation and  
Debtors-in-Possession, dated January 25,  
in the Chapter 11 Cases of Delphi Corporation  
and its affiliates, the debtors and debtors-in-  
possession (collectively, the "Debtors").

**Modifications To the Confirmed Plan.** On July  
Approval Order), the Bankruptcy Court entered a  
Approval Order") approving certain modifica-  
embodied in the First Amended Joint Plan of  
Corporation And Certain Affiliates, Debtors And  
Modified) (the "Modified Plan"), attached as an  
Approval Order. Unless otherwise defined  
Approving Modifications To First Amended  
Of Delphi Corporation And Certain Affiliates,  
ession And (B) Occurrence Of Effective Date,  
ses used herein have the meaning(s) given to  
and the Modification Approval Order.

On October 6, 2009, the Effective Date of the  
Modified Plan was substantially consum-  
mated at the offices of Skadden, Arps, Slate,  
New York City, New York; provided, however, that  
templated by the Master Disposition Agreement  
occur at the closing are effective for tax and  
11:58 p.m., local time, on the Closing Date as  
Disposition Agreement.

**Assumption and Termination of Interests.** Pursuant  
Bankruptcy Code, except as otherwise specifically  
an Confirmation Order, or Modification Approval  
rights that are provided in the Modified Plan  
action, discharge, and release, effective as of the  
Causes of Action, whether known or unknown,  
on, obligations of rights against, and interests in  
Assets or properties, regardless of whether any  
distributed or retained pursuant to the Modified  
Claims, rights, and interests, including, but not  
vests that arose before the Effective Date, and  
fied in sections 502(g), 502(h), or 502(i) of the  
size whether or not (a) a proof of claim or inter-  
debt, right, or interest is filed or deemed filed  
Bankruptcy Code, (b) a claim or interest based  
right, or interest is allowed under section 502 of  
(c) the holder of such a claim, right, or interest  
n. Due to the occurrence of the Effective Date,  
a Order shall be a judicial determination of the  
most and interests in the Debtors.

11.13 of the Modified Plan, the satisfaction,  
pursuant to Article XI of the Modified Plan shall  
any Person commencing or continuing any  
process, or act to collect, offset, or recover any  
of Action satisfied, released, or discharged under  
the fullest extent authorized or provided by the  
ing, without limitation, to the extent provided for  
524 and 1141 thereof.

Contributions pursuant to the Modified Plan, each  
in shall be deemed to have specifically consented  
in Article XI of the Modified Plan.

**Debtors Of Certain Parties.** Pursuant to section  
ruptcy Code, but subject to Article 11.13 of the  
as of the Effective Date, each Debtor, in its individ-  
por-in-possession for and on behalf of its Estate,  
age and be deemed to have conclusively, abso-  
revocably, and forever released and discharged all  
from any and all claims or Causes of Action existing  
any manner arising from, based on, or relating to,  
Debtors, the subject matter of, or the transactions  
any claim or interest that is treated in the Modified  
contractual arrangements between any Debtor and  
restructuring of Claims and Interests prior to or in  
any act, omission, occurrence, or event in any man-  
Claims, Interests, restructuring, or the Chapter 11  
Debtors, including Reorganized DPH Holdings, and  
ies that will be continuing the Debtors' businesses  
shall be bound, to the same extent the Debtors are  
and discharges set forth above. Notwithstanding  
in the Modified Plan shall be deemed to release  
GM from their obligations under the Delphi-GM  
or the transactions contemplated thereby, except  
in the Master Disposition Agreement, (ii) any of  
s, or GM from their obligations under the Union  
s or the transactions contemplated thereby, (iii)  
in their obligations under the Master Disposition  
of the Debtors or the Plan Investors or their affiliates  
under the Investment Agreement or the transac-  
tion.

**Orders Of Claims And Interests.** On the Effective  
who votes to accept the Modified Plan and (b) to  
missible under applicable law, as such law may be  
ed subsequent to the Effective Date, each entity  
which has held, holds, or may hold a claim against or  
in consideration for the obligations of the Debtors  
Debtors under the Modified Plan and Cash, General  
bution, and other contracts, instruments, releases,  
ents to be delivered in connection with the Modified

Plan (each, a "Release Obligor"), shall have conclusively, absolutely uncon-  
ditionally, irrevocably, and forever released and discharged all Released  
Parties for and from any claim or Cause of Action existing as of the Effective  
Date in any manner arising from, based on, or relating to, in whole or in part,  
the Debtors, the subject matter of, or the transaction or event giving rise  
to, the claim of such Release Obligor, the business or contractual arrange-  
ments between any Debtor and Release Obligor or any Released Party, the  
restructuring of the claim prior to the Chapter 11 Cases, or any act, omission,  
occurrence, or event in any manner related to such subject matter, transac-  
tion, obligation, restructuring, or the Chapter 11 Cases, including, but not  
limited to, any claim relating to, or arising out of the Debtors' Chapter 11  
Cases, the negotiation and filing of the Modified Plan, the filing of the  
Chapter 11 Cases, the formulation, preparation, negotiation, dissemina-  
tion, filing, implementation, administration, confirmation, or consumma-  
tion of the Modified Plan, the Disclosure Statement, the Plan Exhibits, the  
Delphi-PBGC Settlement Agreement, the Credit Bid, the Master Disposition  
Agreement, the Union Settlement Agreements, any employee benefit  
plan, instrument, release, or other agreement or document created, modi-  
fied, amended or entered into in connection with either the Modified Plan  
or any other agreement with the Unions, including but not limited to the  
Union Settlement Agreements, or any other act taken or not taken con-  
sistent with the Union Settlement Agreements in connection with the  
Chapter 11 Cases; provided, however, that (A) Article 11.5 of the Modified  
Plan is subject to and limited by Article 11.13 of the Modified Plan and (B)  
11.5 of the Modified Plan shall not release any Released Party from any  
Cause of Action held by a governmental entity existing as of the Effective  
Date based on (i) the Internal Revenue Code or other domestic state, city,  
or municipal tax code, (ii) the environmental laws of the United States or  
any domestic state, city, or municipality, (iii) any criminal laws of the United  
States or any domestic state, city, or municipality, (iv) the Exchange Act, the  
Securities Act, or other securities laws of the United States or any domestic  
state, city, or municipality, (v) the Employee Retirement Income Security  
Act of 1974, as amended, or (vi) the laws and regulations of the Bureau  
of Customs and Border Protection of the United States Department of  
Homeland Security. Notwithstanding the foregoing, all releases given by  
GM to (i) the Debtors and the Debtors' Affiliates shall be as set forth in the  
Delphi-GM Global Settlement Agreement and (ii) the Unions shall be as set  
forth in the Union Settlement Agreements.

**8. Assumption And Assignment Of Executory Contracts  
And Unexpired Leases.** Subject to the terms of the Modified Plan,  
Modification Approval Order, and any related Bankruptcy Court orders,  
upon the occurrence of the Effective Date, each executory contract or unex-  
pired lease assumed, or assumed and assigned, as applicable, pursuant to  
Article VIII of the Modified Plan, shall vest in and be fully enforceable by  
the applicable Reorganized Debtor or its assignee in accordance with its  
terms. On the Effective Date, all executory contracts and unexpired leases  
as to which any Debtor is a party are deemed automatically assumed by  
the applicable Reorganized Debtor in accordance with the provisions and  
requirements of sections 365 and 1123 of the Bankruptcy Code as of the  
Effective Date, unless such executory contracts or unexpired leases (a) have  
been previously rejected by the Debtors by Final Order of the Bankruptcy  
Court, (b) are the subject of a motion to reject, or that otherwise author-  
izes rejection, filed on or before the Modification Approval Date, (c) have  
been rejected or assumed pursuant to a motion to sell or transfer property  
or assets filed by the Debtors prior to the Effective Date, (d) have expired  
or terminated on or prior to the Effective Date (and were not otherwise  
extended) pursuant to their own terms, (e) are listed on the schedule of  
rejected contracts on Exhibit 8.1(a) to the Modified Plan, or (f) are other-  
wise rejected pursuant to the terms of the Modified Plan and/or upon the  
direction of either Buyer pursuant to the Master Disposition Agreement.  
Subject to the foregoing sentences, entry of the Modification Approval  
Order by the Bankruptcy Court approved the rejections, assumptions,  
and assumptions and assignments contemplated by the Modified Plan,  
the Modification Approval Order, the Master Disposition Agreement, and  
related documents pursuant to sections 365 and 1123 of the Bankruptcy  
Code as of the Effective Date.

#### 9. Bar Dates

(a) **Administrative Bar Date.** Requests for payment of an  
Administrative Claim (other than as set forth in Article X of the Modified  
Plan), must be filed with the Claims Agent and served on counsel for the  
Debtors and the Creditors' Committee no later than November 5, 2009 or  
shall be disallowed automatically without the need for any objection from  
the Debtors or Reorganized Debtors. Unless the Debtors or the Reorganized  
Debtors object to an Administrative Claim on or prior to May 4, 2010  
(unless such objection period is extended by the Bankruptcy Court), such  
Administrative Claim shall be deemed allowed in the amount requested.  
In the event that the Debtors or the Reorganized Debtors object to an  
Administrative Claim, the Bankruptcy Court shall determine the allowed  
amount of such Administrative Claim.

(b) **Professional Claims And Final Fee Applications.** All final  
requests for payment of Professional Claims and requests for reimburse-  
ment of expenses of members of the Statutory Committees must be filed  
no later than December 31, 2009. After notice and a hearing in accordance  
with the procedures established by the Bankruptcy Code and prior orders  
of the Bankruptcy Court, the allowed amounts of such Professional Claims  
and expenses shall be determined by the Bankruptcy Court. Pursuant to  
the Bankruptcy Court's prior orders, any requirement that Professionals  
comply with sections 327 through 331 of the Bankruptcy Code in seek-  
ing retention or compensation for services rendered terminated on the  
Confirmation Date, and the Reorganized Debtors have employed and paid  
Professionals in the ordinary course of business thereafter.

(c) **Substantial Contribution Bar Date.** Except as otherwise  
provided in the Modification Approval Order, any Person who requests  
compensation or expense reimbursement for making a substantial con-  
tribution in the Chapter 11 Cases pursuant to sections 503(b)(3), (4), and  
(5) of the Bankruptcy Code shall file an application with the clerk of the  
Bankruptcy Court on or before November 20, 2009, and serve such applica-  
tion on counsel for the Debtors, the Creditors' Committee, the United States  
Trustee for the Southern District of New York, and such other parties as may  
be decided by the Bankruptcy Court and the Bankruptcy Code on or before  
November 20, 2009, or be forever barred from seeking such compensation  
or expense reimbursement.

Dated: New York, New York, October 6, 2009

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The money would go to all Social Security beneficiaries, regardless of their income, as well as disabled veterans, those eligible for railroad retirement payments and people who receive federal and state government pensions instead of Social Security.

Attorneys for Delphi Corporation, et al., Debtors and Debtors-in-Possession

**PITTSBURGH CORNING CORPORATION ("PCC")** has proposed a Modified Third Amended Plan of Reorganization (the "Plan"). Those with claims against PCC; those with asbestos personal injury claims (as defined in the Plan) against PCC or its parent corporations;

Abstracts of papers presented at the 1997 Annual Meeting of the American Psychological Association, Washington, DC, August 1-5, 1997.